

## Electronically Recorded

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Tarrant County Texas

1/29/2010 8:49 AM

D210021072

*Suzanne Henderson*  
 Fort Worth, Texas  
 3041 Western Center  
 L/C: 042-2832  
 File #44220

PGS 4 \$28.00  
 Submitter: ACS  
 Prepared by: Jennifer Cohn  
 After recording return to: Patti Scudero  
 McDonald's USA, LLC  
 One McDonald's Plaza  
 Oak Brook, Illinois 60523

## SUPPLEMENT TO LEASE

This agreement is dated November 24, 2009 ("Agreement") and supplements the Ground Lease dated February 12, 2009 as amended by Agreement Amending Lease dated May 13, 2009, (collectively, the "Lease") between **HAYCO REALTY, LTD**, a Texas limited partnership ("Landlord") whose address is 3825 Camp Bowie Boulevard, Fort Worth, Texas 76107 and **McDONALD'S USA, LLC**, a Delaware limited liability company ("Tenant") whose address is One McDonald's Plaza, Oak Brook, Illinois 60523, for the premises described on Exhibit A.

Pursuant to the terms and conditions contained in the Lease, this Agreement is executed to affirm the following facts:

1. The commencement date of the term of the Lease is February 12, 2009.
2. The commencement date of the rent is October 28, 2009.
3. The commencement date of Tenant's obligation to pay real estate taxes is October 28, 2009.
4. The date upon which the original term of the Lease will expire is October 27, 2029.

The Lease, as supplemented by this Agreement, is ratified and confirmed by Landlord and Tenant.

LANDLORD:  
**HAYCO REALTY, LTD**  
 a Texas limited partnership

By: *[Signature]*  
 Printed Name: Hayden Cutler  
 Its: general partner

TENANT:  
**McDONALD'S USA, LLC**,  
 a Delaware limited liability company

By: *[Signature]*  
 Printed Name: Catherine A. Griffin  
 Its: Vice-President

(Attach all Acknowledgment Certificates and Exhibit A)



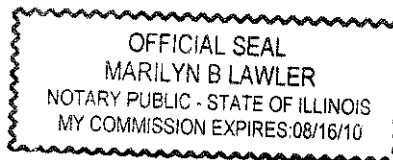
**McDonald's USA, LLC  
(ACKNOWLEDGMENT)**

STATE OF ILLINOIS     )  
                                  ) §:  
COUNTY OF DuPAGE    )

I, **Marilyn B. Lawler**, a Notary Public in and for the county and state aforesaid, DO HEREBY CERTIFY that **Catherine A. Griffin, Vice-President**, of **McDonald's USA, LLC, a Delaware corporation**, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such **Catherine A. Griffin**, appeared before me this day in person and acknowledged that she signed, sealed and delivered the said instrument as her free and voluntary act as **Vice-President** and as the free and voluntary act of said corporation for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 23<sup>rd</sup> day of November, 2009.

Marilyn B. Lawler  
Marilyn B. Lawler, Notary Public



My commission expires: August 16, 2010

**ACKNOWLEDGMENT**

STATE OF Texas     )  
                                  ) §:  
COUNTY OF Tarrant    )

I, Rita Singleton, a Notary Public in and for the county and state aforesaid, DO HEREBY CERTIFY that Haydn Cutler, as General Partner of Hayco Realty, Ltd., a Texas limited partnership, who is personally known to me to be the person whose name is subscribed to the foregoing instrument as such Haydn Cutler, appeared before me this day in person and acknowledged that he/she signed, sealed and delivered the said instrument as his/her free and voluntary act as such General Partner and as the free and voluntary act of said business for the uses and purposes described in this instrument.

Given under my hand and notarial seal, this 2nd day of December, 2009.

Rita Singleton  
Notary Public

My commission expires: 12-15-2012

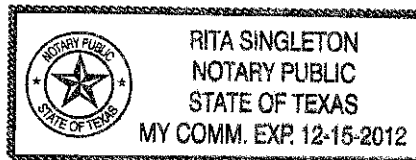


EXHIBIT A

TRACT 1

BEING a 1.240 acre tract of land located in the in the W. Smith Survey, Abstract No. 1418, Tarrant County, Texas and being all of Lot 5, Block 1 of Western Center North Addition, an addition to the City of Fort Worth, Tarrant County, Texas, according to the plat recorded in Cabinet A, Slide 10855 of the Plat Records of Tarrant County, Texas (PRTCT), and being more particularly described as follows:

BEGINNING at a capped iron rod found at the common south corner of said Lot 5 and Lot 4, Block 1 of said Western Center North Addition and being in the north line of Western Center Boulevard, a variable width right-of-way;

THENCE along the common line of said Lot 5 and said Lot 4, NORTH  $02^{\circ}01'24''$  EAST, a distance of 262.44 feet to an "X" cut in concrete at the common north corner of said Lot 5 and said Lot 4 and also being in the south line of Lot 6 of said Western Center North Addition;

THENCE along the common line of said Lot 5 and said Lot 6, SOUTH  $87^{\circ}56'18''$  EAST, a distance of 8.76 feet to an "X" cut in concrete for corner and being at the beginning of a curve to the right having a radius of 137.50, a central angle of  $25^{\circ}47'39''$ , and a chord bearing and distance of SOUTH  $75^{\circ}02'29''$  EAST, 61.38 feet;

THENCE continuing along the common line of said Lot 5 and said Lot 6 and along said curve to the right an arc length of 61.90 feet to an "X" cut in concrete for corner;

THENCE continuing along the common line of said Lot 5 and said Lot 6, SOUTH  $62^{\circ}08'39''$  EAST, a distance of 7.44 feet to an "X" cut in concrete for corner and being at the beginning of a curve to the left having a radius of 150 feet, a central angle of  $38^{\circ}23'44''$ , and a chord bearing and distance of SOUTH  $81^{\circ}20'31''$  EAST, 98.65 feet;

THENCE continuing along the common line of said Lot 5 and said Lot 6 and along said curve to the left, an arc length of 100.52 feet to an "X" cut in concrete for corner;

THENCE continuing along the common line of said Lot 5 and said Lot 6, NORTH  $79^{\circ}27'37''$  EAST, a distance of 19.64 feet to an "X" cut in concrete at the common east corner of said Lot 5 and said Lot 6 and also being in the west line of Interstate Highway 35W, a variable width right-of-way;

THENCE along the common line of said Lot 5 and said Interstate Highway 35W, SOUTH  $17^{\circ}58'01''$  EAST, a distance of 63.93 feet to a 5/8 inch iron rod set for corner;

THENCE continuing along the common line of said Lot 5 and said Interstate Highway 35W, SOUTH  $10^{\circ}42'06''$  EAST, a distance of 140.29 feet to a Brass Cap in concrete found for corner and being at the beginning of a curve to the right having a radius of 80.00 feet, a central angle of  $69^{\circ}17'29''$  and a chord bearing and distance of SOUTH  $64^{\circ}56'59''$  WEST, 90.96 feet;

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THENCE continuing along the common line of said Lot 5 and said Interstate Highway 35W, an arc length of 96.75 feet to a capped iron rod found for corner in the common line of said Lot 5 and said Western Center Boulevard;

THENCE along the common line of said Lot 5 and said Western Center Boulevard, NORTH  $87^{\circ}58'36''$  WEST, a distance of 164.21 feet to the POINT OF BEGINNING;

CONTAINED within these metes and bounds 1.240 acres or 54,000 square feet of land more or less, all according to that survey Prepared by A.J. Bedford Group, Inc.

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